

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Notice DAP-165

For: State and County Offices

Preparing for the Livestock Assistance Program (LAP) Signup

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The Agricultural Assistance Act of 2003 authorizes the Secretary to use \$250 million of CCC funds to establish LAP for producers in eligible counties. An eligible county is a primary county included in the geographic area covered by a qualifying Secretarial or Presidential disaster declaration made after January 1, 2001, or a county for which a request for such declaration was submitted no later than February 20, 2003, and subsequently approved as a primary county. The county must also meet certain LAP eligibility requirements, found in subparagraph 2 B to be eligible.

LAP procedure in 1-DAP, Part 7 is being updated for the 2001/2002 LAP and will be incorporated into 4-DAP. Signup will be announced shortly. County Offices shall begin preparation for LAP signup by determining whether applicable counties meet the LAP county loss eligibility criteria for both 2001 and 2002 crop years, according to this notice.

B Purpose

This notice provides State and County Offices the following:

- instructions to:
 - prepare CCC-654's to determine county loss eligibility for 2001 and 2002
 - submit CCC-654's to STC for approval
 - provide PECD a report of counties approved for LAP
- a list of all primary counties that were declared under a Secretarial or Presidential disaster designation (Exhibit 1).

Disposal Date

October 1, 2003

Distribution

State Offices; State Offices relay to County Offices

2 Determining County Eligibility for LAP

A County Eligibility - Phase I

A county must be a primary county included in the geographic area covered by a qualifying Secretarial or Presidential disaster declaration made after January 1, 2001, or a county for which a request for such declaration was submitted no later than February 20, 2003, and subsequently approved as a primary county. **See Exhibit 1 for a list of counties that meet Phase I eligibility.**

Note: Contiguous counties are **not** eligible for benefits under LAP.

B County Eligibility - Phase II

In addition to meeting the eligibility requirements in subparagraph A, a county must have suffered a 40 percent or greater grazing loss for the entire county, or part of a county, for at least 3 consecutive months as a result of drought, hot weather, disease, insect infestation, flood, fire, hurricane, earthquake, severe storm, or other natural disasters during calendar year 2001 or 2002.

3 Natural Disaster and Production Loss Criteria

A Occurrence

Grazing losses must have occurred in calendar year 2001 or 2002.

B Type and Criteria

The following are the recognized types of natural disasters and criteria for LAP.

Type	Disaster Criteria for County Eligibility
Drought	<p>An average of 40 percent or greater loss of normal precipitation for 4 consecutive months during the applicable LAP crop year, or no earlier than 2 months before the LAP crop year.</p> <p>Note: If the precipitation does not meet the 40 percent or greater loss criteria, explain extenuating circumstances in a narrative summary.</p> <p>Examples: Dates and amount of heavy rainfall; timeliness of rainfall in growing period; and other conditions that affected growth of pasture.</p>
Excessive Moisture	An average of 140 percent or greater increase in normal precipitation during 4 consecutive months.
Livestock Emergency	Counties not meeting criteria for drought or excessive moisture may determine that a livestock feed emergency exists because a natural disaster in calendar year 2001 or 2002 caused a severe grazing loss.

3 Determining County Eligibility for LAP (Continued)

C Explanation for 4 Consecutive Months

If a county does not meet the 40 percent or greater loss of normal precipitation criteria because of unusual circumstances in 1 of the 4 consecutive months, the county may skip that month and select another month before or after the 4 months originally selected.

Example: COC selects March, April, May, and June, but only March, May, and June meet criteria. However, because of an unusual circumstance, the county received 12 inches of rain because of flash flooding in April. COC would skip the month of April and select either February or July.

If COC substitutes a month to meet the criteria, document in detail on CCC-654, item 7, and include the type and extent of unusual circumstance in the supporting documentation.

D Production Loss Criteria

The following are the 2001 and 2002 natural disaster production loss criteria.

Type	Production Loss Criteria for a County
Drought and Excessive Moisture	The grazing loss of pasture shall be 40 percent or more than the normal year grazing production.
Livestock Emergency	The grazing loss shall be 40 percent or more than the normal year grazing production.

4 LAP Crop Year, Payment Period, and Short Term Grazing

A Establishing LAP Crop Year

The beginning date of the LAP crop year shall be the date grazing of new growth pasture normally becomes available in the spring. The ending date for 2001 or 2002 LAP crop year shall be no later than November 15 of the applicable crop year, unless grazing after November 15 of the applicable crop year is verified by COC and approved by STC as normal practice in a county, according to paragraph 6.

Note: The LAP crop year must fall within the applicable calendar year.

Example: COC determines grazing normally begins April 1, 2002, and normally ends November 15, 2002, in the county. The LAP crop year is April 1 through November 15, 2002.

4 LAP Crop Year, Payment Period, and Short Term Grazing (Continued)

B LAP Payment Period

The LAP payment period is a period of time within the LAP crop year in which COC determined at least a 40 percent grazing loss occurred in the county during calendar year 2001 or 2002, as applicable.

Notes: Grazing losses for the payment period must be a minimum of 40 percent for at least 3 consecutive months.

See paragraph 6 for information and required documentation if a requested payment period extends beyond November 15 of the applicable year.

C Establishing LAP Payment Period

COC shall review climatological and grazing production loss information on CCC-654, and any other applicable data, to accurately determine the beginning and ending dates of the LAP payment period for the county.

COC shall establish the **beginning date** of the LAP payment period as:

- the date, according to local grazing conditions, **a 40 percent grazing loss became evident in the county**
- no earlier than the beginning of the LAP crop year.

COC shall establish the **ending date** of the LAP payment period as:

- the date, according to local grazing conditions, grazing losses **no longer exceeded 40 percent**
- no later than the end of the LAP crop year
- no earlier than 90 calendar days after the beginning date of the LAP payment period.

Example: COC determines the LAP crop year as April 1 through November 15, 2002. COC determines the grazing losses began April 1 and ended September 30, 2002. April 1 through September 30, 2002, is the LAP payment period of 183 calendar days.

4 LAP Crop Year, Payment Period, and Short Term Grazing (Continued)

D Short Term Grazing

For short term grazing practices, COC shall use **either** of the following methods to determine pasture value:

- establish a carrying capacity for all types of normal short term grazing practices according to subparagraph E
- prorate the acreage on an individual basis according to subparagraph F.

E Establishing Short Term Carrying Capacity

Establish a carrying capacity for a short term grazing practice by dividing the number of days in the LAP crop year that that type of pasture is normally grazed by the number of days in the short term grazing period. Multiply the result of that calculation times the normal carrying capacity for that type of grazing.

Example: Improved hay land as a normal short term grazing practice is grazed for 91 calendar days after the final cutting of hay is removed. The carrying capacity for improved hay land from which hay is not removed is 2.0 acres per AU and the normal grazing period for improved hay land from which hay is not removed is 229 calendar days. The carrying capacity is calculated as follows.

229 divided by 91 equals 2.5 times normal carrying capacity of 2.0 AC/AU, which equals 5.0 AC/AU. This is the carrying capacity for 91-calendar-day short term grazing on improved hay land that is normally grazed for 229 calendar days.

F Prorating the Acreage

Prorate pasture acreage having the same type of grazing, but for which the normal grazing period is shortened because of mechanical harvesting by dividing the days the pasture is grazed by the number of days in the payment period for that type of pasture. Multiply the resulting factor times the number of acres for the pasture. The result shall be entered for the total acres for the pasture.

Example: A 40.0 acre improved hay land is grazed for 91 calendar days after hay has been harvested. The payment period for this type of pasture is 229 calendar days.

91 calendar days divided by 229 payment period = 0.3974
0.3974 x 40.0 acres = 15.9 acres.

The total acres for this pasture shall be entered as 15.9 acres.

4 LAP Crop Year, Payment Period, and Short Term Grazing (Continued)

G Establishing County Grazing Loss Percentage

The county average grazing loss percentage for LAP purposes is the weighted average grazing loss calculated on CCC-654 and indicated in item 27c. This percentage of grazing loss is used by STC to determine county eligibility for LAP.

COC shall establish maximum grazing loss percentages for each type of grazing because of the disaster, not to exceed the 80 percent maximum established by DAFP. These maximum grazing loss levels are the maximum loss percentage for any producer in the approved county.

Notes: Because of local grazing and weather conditions, individual grazing losses will vary from the established county grazing loss percentage on CCC-654.

The maximum grazing loss set by COC is not appealable.

The county grazing loss percentages established for each type of grazing and the justifications used shall be recorded in the COC minutes.

H Ineligible Grazing Losses

Seeded small grain forage crops are ineligible for grazing purposes under LAP. Losses for seeded small grain forage crops may be eligible under NAP, crop disaster, or crop insurance. Seeded small grain forage crops include the following:

- barley
- oats
- rye
- triticale
- wheat.

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5 CCC-654, County Feed Loss Assessment Report

A Information Required for CCC-654

A separate CCC-654 must be completed, according to this paragraph, for each calendar year, 2001 and 2002, and submitted to STC through SED requesting county Phase II eligibility.

Note: If it is determined that a 40 percent grazing loss **did not** occur in 1 or both years, the County Office shall **complete items 1, 2 only, and enter the applicable crop year in item 3 and items 47 through 49.** COC shall certify in item 48 on CCC-654 and enter the following statement, **“I certify that _____ county did not suffer at least a 40 percent grazing loss in year _____. ”**

For each county meeting Phase II eligibility requirements (40 percent or greater grazing loss), COC shall, for the applicable years:

- enter the LAP crop year established according to subparagraph 4 A
- enter the LAP payment period established according to subparagraphs 4 B and C
- enter maximum percent of grazing loss for the county for each type of grazing established according to subparagraph 4 G

Note: The maximum percentage of grazing loss for any county or part of a county cannot exceed 80 percent. The maximum 80 percent grazing loss is nonappealable.

- establish the normal carrying capacity for all types of grazing in the county.

For each year COC determined that at least a 40 percent grazing loss did occur, obtain precipitation data for the **full 12 months** of **each** calendar year from the official weather stations in the county, whenever possible. If official precipitation data is not available, enter data from local sources and identify the sources, such as Extension Service (ES), or local news media.

Explain, in justifying documentation, extenuating circumstances, such as extreme weather conditions in a short period of time, temperature data, etc., that support the request.

The value of all pasture and normal grazing in the nation has been established at **\$.53829** per animal unit per day for both 2001 and 2002 crop years.

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5 CCC-654, County Feed Loss Assessment Report (Continued)

B Completing CCC-654

Use the following instructions to complete a separate CCC-654 for the applicable years that meet **Phase II eligibility** requirements (40 percent or greater grazing loss).

Item	Instructions
3	<p>Enter beginning and ending dates of natural disaster, as applicable to 2001 or 2002.</p> <p>Also enter the beginning and ending dates COC determined that at least a 40 percent grazing production loss occurred in the county.</p> <p>These dates constitute the payment period and must fall within the LAP crop year established according to subparagraph 4 A.</p>
4	Check type of natural disaster. If “other”, identify the disaster.
5	Type in “Livestock Assistance Program (LAP)” in the “Other” field.
6	<p>Enter county precipitation data, by month for the full 12 months, in inches and hundredths of inches, in:</p> <ul style="list-style-type: none"> columns B and C for the 2 preceding years, as applicable to the year the CCC-654 is being completed column D for the applicable 2001 or 2002 calendar year <p>Note: Place an asterisk in the current calendar year precipitation data for the 4 consecutive months used for the evaluation period, according to subparagraphs 3 B and C.</p> <ul style="list-style-type: none"> column E for normal precipitation for the entire year, as applicable. <p>Compute the percent of normal precipitation for each month of the applicable current calendar year by dividing the current year precipitation, column D, by the normal year precipitation, column E. Enter the result in column F.</p> <p>Total the 4 consecutive months used for the evaluation period for the current calendar year precipitation and enter total in column D.</p> <p>Total the 4 consecutive months of the normal precipitation and enter total in column E.</p> <p>Divide the total current calendar year precipitation (column D) by the normal precipitation (column E). This is the average percent of precipitation for the evaluation period.</p> <p>Enter the percent in column F.</p> <p>See example in subparagraph 3 C for entering totals.</p>
7	Complete if justifying any extenuating circumstances.

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5 CCC-654, County Feed Loss Assessment Report (Continued)

B Completing CCC-654 (Continued)

Item	Instructions
8	<p>If “yes”, clearly describe supplemental feeding actions that producers are taking.</p> <p>If supplemental feeding is a normal practice during any of the requested LAP payment period, provide the beginning date supplemental feeding normally begins and the percentage of supplemental feeding required from the beginning date through the end of the payment period, according to subparagraph 6 F. (0 percent, 5 percent, 10 percent, 15 percent, 20 percent, 25 percent, 30 percent, 35 percent, 40 percent, 45 percent, 50 percent, 55 percent, 60 percent, 65 percent, 70 percent, 75 percent, 80 percent, 85 percent, 90 percent, 95 percent, or 100 percent).</p> <p>Example: Supplemental feeding normally begins October 15. Rate is 30 percent.</p>
9	If “yes”, enter numbers and percent above normal for livestock being liquidated, culled, sold off, or moved out of the county and basis for estimates provided.
10	Leave blank.
11	Enter the beginning date for the established LAP crop year.
12	<p>The different types or varieties of pasture and grazing crops for a county shall be grouped into the following 3 categories:</p> <ul style="list-style-type: none"> • improved grasses (nonirrigated) • native grasses • forage sorghum (nonirrigated).
13	Enter acres for improved grasses, native grasses, and forage sorghum.
14	Enter AC/AU established by COC. If carrying capacity is normally measured in AUM’s, convert AUM’s to AC/AU. See 8-DF, paragraph 73.5.
15	Enter the number of days COC established for the payment period for each type of pasture and grazing. The payment period shall not be beyond December 31, 2001, or 2002, as applicable.
16	<p>Enter the cost per animal unit per day for pasture and normal grazing.</p> <p>Note: The National Office has established the cost per animal unit at \$53829 per day for both 2001 and 2002 crop years.</p>
17	Compute the value of normal production . Divide acres grown, column 13, by AC/AU, column 14. Multiply the result times number of days, column 15, times the cost per animal unit, column 16.
18	Enter actual percent of loss caused by the natural disaster for each type of pasture and normal grazing.

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5 CCC-654, County Feed Loss Assessment Report (Continued)

B Completing CCC-654 (Continued)

Item	Instructions
19	Compute the value of the production loss by multiplying the value of normal production, column 17, times the percent of loss, column 18.
21 through 26	Leave blank.
27a	Compute the value of normal production for pasture and other normal grazing by adding all entries in column 17.
27b	Compute the value of production loss for pasture and other normal grazing by adding all entries in column 19.
27c	Compute the weighted average loss for emergency grazing by dividing the value of production loss, column 27b, by the value of normal production, column 27a.
28 through 44	Leave blank.
45	Enter number or best estimate of roughage consuming animals that will be eligible for assistance.
46	Leave blank.
47	Enter date of COC meeting when determination was made to request LAP.
48	CED shall sign certification and enter date of request.
49	SED, if designated by STC, shall sign, date, and indicate STC concurrence.

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5 CCC-654, County Feed Loss Assessment Report (Continued)

C Example of CCC-654

The following is an example of CCC-654.

This form is available electronically.

CCC-654 (06-23-03)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. STATE Colorado		
COUNTY FEED LOSS ASSESSMENT REPORT				2. COUNTY Baca		
3. DATE(S) OF DISASTER May 10, 2001 - November 30, 2001 Payment Period: Begin Date June 20, 2001 End Date October 31, 2001		4. TYPE AND DESCRIPTION OF NATURAL DISASTER DROUGHT <input checked="" type="checkbox"/> EXCESSIVE MOISTURE <input type="checkbox"/> OTHER, List <u>Excessive Heat</u> <input checked="" type="checkbox"/>				
5. TYPE OF ASSISTANCE REQUESTED EFP <input type="checkbox"/> EMERGENCY HAYING AND GRAZING OF ACR AND CU FOR PAYMENT <input type="checkbox"/> EFAP <input type="checkbox"/> HAYING AND GRAZING OF CRP ACREAGE <input type="checkbox"/> PPCBP <input type="checkbox"/> OTHER, List <u>Livestock Assistance Program (LAP)</u> <input checked="" type="checkbox"/>						
6. PRECIPITATION - PLACE AN ASTERISK IN THE CURRENT CALENDAR YEAR (COLUMN D) AND NORMAL (COLUMN E) PRECIPITATION DATA FOR THE 4 CONSECUTIVE MONTHS USED FOR THE EVALUATION PERIOD.						
A. MONTH	B. PREVIOUS YEAR-1999	C. PREVIOUS YEAR-2000	D. CURRENT YEAR TO DATE	E. NORMAL	F. CURRENT YEAR % OF NORMAL	
January	.61	1.20	1.20	1.00	1.20	
February	.95	2.00	.50	2.00	25	
March	2.11	3.11	4.00	3.08	130	
April	2.61	2.84	.95	3.31	29	
May	.18	1.97	* 1.25	* 3.60	35	
June	.81	2.33	* .65	* 4.73	14	
July	2.00	1.97	* .75	* 3.44	22	
August	2.51	1.61	* .99	* 4.26	23	
September	5.68	2.08	1.50	2.64	57	
October	1.88	2.11	2.50	3.01	83	
November	6.16	3.25	1.75	3.75	47	
December	1.04	2.00	2.00	4.52	44	
TOTAL the 4 consecutive months that are asterisked in columns D and E. Divide column D by column E, this is percent of precipitation used for the evaluation period: →			3.64÷	16.03 =	23%	
7. TEMPERATURE (Average Monthly)						
8. Has the nature disaster required additional supplemental feeding? If "YES", to what extent?					YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
9. Is livestock being liquidated and/or culled heavier as a direct result of the natural disaster? If "YES", provide an estimate of the additional numbers <u>10,000</u> and % above normal <u>25</u> .					<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Identify the consecutive 5-month restricted period for haying and grazing as determined by the STC.				11. CROP YEAR (Beginning date) April 1, 2001		

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5 CCC-654, County Feed Loss Assessment Report (Continued)

C Example of CCC-654 (Continued)

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FEED LOSS ASSESSMENT							
12. PASTURE AND NORMAL GRAZING	13. ACRES GROWN IN DISASTER YEAR	14. AC/AU	15. NORMAL GRAZING (DAYS)	16. COST PER (AU)	17. VALUE NORMAL PRODUCTION (Col. 13 ÷ 14 X 15 X 16)	18. PERCENT OF LOSS	19. VALUE PRODUCTION LOSS (Col. 17 X Col. 18)
a. Improved	250,000 ÷ 3	X	134	X \$.53829 =	\$ 6,010,904	X 70 % =	\$ 4,207,633
b. Native	60,000 ÷ 5	X	134	X \$.53829 =	\$ 865,570	X 60 % =	\$ 519,342
c. Forage Sorghu	100,000 ÷ 2	X	90	X \$.53829 =	\$ 2,422,305	X 50 % =	\$ 1,211,153
20. HAY	21. ACRES GROWN IN DISASTER YEAR		22. NORMAL YIELD (TONS)	23. COST PER (TON)	24. VALUE NORMAL PRODUCTION (Col. 21 X 22 X 23)	25. PERCENT OF LOSS	26. VALUE PRODUCTION LOSS (Col. 24 X Col. 25)
a. Alfalfa		X	X	\$ =	\$	X % =	\$
b. Other Hay		X	X	\$ =	\$	X % =	\$
27. SUBTOTALS →					27a. Col. 17 and 24		27b. Col. 19 and 26
27C. LAP/Emergency Haying and Grazing Weighted Average Loss subtotal Col. 27b ÷ subtotal Col. 27a = 64 %					\$ 9,298,799		\$ 5,938,128
28. FEED GRAIN CROPS	29. ACRES GROWN IN DISASTER YEAR		30. NORMAL YIELD (Bu./Cwt.)	31. COST PER (Bu./Cwt.)	32. VALUE NORMAL PRODUCTION (Col. 29 X 30 X 31)	33. PERCENT OF LOSS	34. VALUE PRODUCTION LOSS (Col. 32 X Col. 33)
a.		X	X	\$ =	\$	X % =	\$
b.		X	X	\$ =	\$	X % =	\$
c.		X	X	\$ =	\$	X % =	\$
d.		X	X	\$ =	\$	X % =	\$
e.		X	X	\$ =	\$	X % =	\$
f.		X	X	\$ =	\$	X % =	\$
35. OTHER ROUGHAGE	36. ACRES GROWN IN DISASTER YEAR		37. NORMAL YIELD (TONS)	38. COST PER (TON)	39. VALUE NORMAL PRODUCTION (Col. 36 X 37 X 38)	40. PERCENT OF LOSS	41. VALUE PRODUCTION LOSS (Col. 39 X Col. 40)
a.		X	X	\$ =	\$	X % =	\$
b.		X	X	\$ =	\$	X % =	\$
c.		X	X	\$ =	\$	X % =	\$
42. TOTALS →					42a. Col. 27a, 32, and 39 \$		42b. Col. 27b, 34, and 41 \$
43. NUMBER OF ACR/CU ACRES		44. NUMBER OF CRP ACRES		45. NUMBER OF ROUGHAGE CONSUMING ANIMALS 120,000		46. LIVESTOCK FEED PROGRAM WEIGHTED AVERAGE LOSS (Total Col. 42b ÷ Total Col. 42a) %	
COC AND STC CERTIFICATION							
47. Date of COC meeting when determination was made that a natural disaster has occurred and to request authority for Livestock Feed Assistance <u>April 15, 2001</u>							
48A. I certify that the above data is complete and factual to the best of my ability.				48B. SIGNATURE OF CED		48C. DATE (MM-DD-YYYY)	
49B. SIGNATURE OF SED				49B. CONCURRED BY THE STC YES <input type="checkbox"/> NO <input type="checkbox"/>		49C. DATE (MM-DD-YYYY)	

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6 Submitting CCC-654's for 2001 and 2002

A Submitting Requests

COC shall submit **all** requests (2001 and 2002) for LAP to STC, through SED as soon as possible to avoid delay in LAP signup. The request shall include CCC-654 and documentation listed in subparagraph C and paragraph 5, as applicable for each 2001 and 2002 crop years. **This also includes all CCC-654's that do not meet the 40 percent grazing loss.**

B COC Request for Part of a County

If COC requests authorization for LAP in part of a county, the County Office shall submit the following:

- CCC-654's, completed according to subparagraph C and paragraph 5, including one CCC-654 for each of the following:
 - entire county
 - affected area
- county map clearly delineating the part of the county for which LAP is requested

Note: The affected area should be outlined by township boundaries, roads, highways, streams, or other identifiable landmarks.

- detailed narrative of disaster conditions in the county.

Note: If the request for part of a county is approved, the part of the county not covered by the request shall **not** be eligible for LAP.

6 Submitting CCC-654's for 2001 and 2002 (Continued)

C Supporting Documents and Statements

In addition to CCC-654, all COC requests for LAP shall include a copy of COC minutes, for **each** 2001 and 2002 crop year, that include the following:

- LAP crop year
- LAP payment period
- maximum percent of grazing loss for the county according to subparagraph 4 G
- any extenuating circumstances
- comments on each type of pasture and normal grazing crops planted in the county
- COC-established percent of grazing loss for each type and reason for grazing loss
- established carrying capacity for each type of grazing

Note: When completing CCC-654, item 12, different types or varieties of pasture and grazing crops for a county shall be grouped into the following 3 categories:

- improved grasses (nonirrigated)
 - native grasses
 - forage sorghum (nonirrigated).
- explanation of livestock emergency with justification of need for emergency measures.

D Additional Information

Provide additional information as follows.

- When CCC-654 is for more than 1 type of disaster, include all documentation.

Example: If item 4 is drought and excessive heat, complete item 7 for both normal and current year.

- Justification if the payment period date is beyond November 15, 2001, or 2002, as applicable.
- If a month is skipped on CCC-654, an explanation of the type and extent of the unusual circumstances is needed, according to subparagraph 3 C.

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6 Submitting CCC-654's for 2001 and 2002 (Continued)

E LAP Payment Period Ending After November 15, 2001, or 2002

A LAP payment period cannot end after November 15, 2001, or 2002, if the historical documented first frost/freeze date for the county is November 1 or earlier.

Any county requesting a LAP payment period that ends after November 15, 2001, or 2002 shall provide **both** of the following:

- all supporting documentation required according to subparagraph G
- acceptable documentation, including but not limited to, any credible official climatological or meteorological data, that indicates the historical first frost/freeze date for the county.

Note: The LAP payment period shall end no later than 15 calendar days after the historical first frost/freeze date for the county. This provision applies only to those counties requesting a LAP payment period ending date that is after November 15, 2001, or 2002.

F Supplemental Feeding After November 15, 2001, or 2002

Grazing with very little or no supplemental feeding after November 15, 2001, or 2002, is limited to a very few areas of the United States and is considered an exceptional practice.

Important: Requests for payment periods ending after November 15, 2001, or 2002 must meet the criteria in subparagraph 6 E and require extensive documentation. These requests will be carefully reviewed by STC.

After November 15, 2001, or 2002 supplemental feed is needed because of the following:

- snow coverage
- growth has ceased and available nutrients are decreased because of frost, freezing temperatures, etc.
- because of normal continuous grazing throughout the LAP crop year, the physical amount of grass is naturally reduced
- other reasons applicable to the local area crop and climate conditions.

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6 Submitting CCC-654's for 2001 and 2002 (Continued)

G Documentation Supporting Payment Period Ending Dates After November 15, 2001, or 2002

Additional certification and documentation shall be provided to STC for all counties requesting a LAP payment period with an ending date after November 15, 2001, or 2002. For these requests, provide supporting information to STC according to the following.

- Follow instructions in subparagraph 5 B for CCC-654, item 8, to provide the beginning date supplemental feed is normally required on grazing land and the percentage of supplemental feed “normally” needed after this date, for a year with average rainfall and temperatures, to adequately sustain and maintain grazing livestock.
- Provide supporting documentation that justifies grazing after November 15, 2001, or 2002, from all reliable sources which shall include, but are not limited to:
 - CSREES
 - college or university research departments
 - any other source STC considers credible and reliable.

Supporting documentation must provide, at a minimum:

- acceptable documentation, according to subparagraph E, that indicates the historical first frost/freeze date in a county
- the percentage of supplemental feed “normally” needed after November 15, 2001, or 2002, in a year with average rainfall and temperatures to adequately sustain and maintain grazing livestock
- whether the late grazing is on pastures used exclusively for fall grazing or continuous grazing
- reasons why grazing after November 15, 2001, or 2002 is a common practice
- reasons why the factors in subparagraph F do not apply.

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6 Submitting CCC-654's for 2001 and 2002 (Continued)

H Determining Grazing Loss Percentage for Payment Periods Ending After November 15, 2001, or 2002

For payment periods ending after November 15, 2001, or 2002, grazing loss percentages for a payment period shall be adjusted accordingly to reflect supplemental feeding, whenever supplemental feeding normally occurs within the payment period.

Example: COC establishes July 15 through December 15, 2002, as a payment period. The grazing loss is established at 60 percent. Livestock need an additional 25 percent of supplemental feed if grazing after November 15, 2002, for normal maintenance. The grazing loss percentage would be calculated according to the following.

Four months at 60 percent and 1 month at 35 percent (60 percent minus 25 percent) equals a 55 percent loss for the 5-month payment period.

Note: Any time supplemental feeding is a normal practice during the payment period, the grazing loss percentage shall be adjusted accordingly.

COC shall document in COC minutes the adjusted grazing loss percentage.

7 STC Action

A Request From COC

STC's or designee, shall:

- review all COC requests for completeness and factual information
- verify production loss
- approve or deny based on program provisions.

B Notification of STC Determination

The State Office shall notify County Offices immediately of STC determination by **either** of the following:

- by telephone or e-mail
- in writing as soon as possible.

8 State Office Report of Counties Approved for LAP

A Reporting Approved Counties

After approving all eligible counties for the State, State Offices shall report counties approved for LAP to DAFP through PECD using the format in Exhibit 1 as a guide. An Excel spreadsheet may be used providing it contains the required data.

The report shall be FAXed to DAFP through PECD, Attention: Dolores Painter, at 202-690-3610 or 202-690-2829 or e-mail to **dolores_painter@wdc.usda.gov**.

B Data Required in the Report

Use Exhibit 1 or a similar format to report the following required data needed to report counties approved for LAP:

- State name
- counties approved or denied for 2001 and 2002
- applicable county payment period for 2001 and 2002, include beginning date and ending date
- applicable COC maximum percent of loss for 2001 and 2002.

County Eligibility - Phase I

A county must be a primary county included in the geographic area covered by a qualifying natural disaster declaration made after January 1, 2001, or a county for which a request for such declaration was submitted no later than February 20, 2003, and subsequently approved as a primary county.

The following **entire** States are approved for LAP - Phase I Eligibility.

- Alabama • Kentucky • Nevada • Rhode Island
- Arizona • Louisiana • New Hampshire • South Carolina
- Arkansas • Maine • New York • Tennessee
- Connecticut • Mississippi • North Dakota • Texas
- Delaware • Montana • Ohio • Utah
- Kansas • Nebraska • Oklahoma • Vermont.

Note: All counties are approved in these States for Phase I eligibility **except** the counties listed below as **not approved as a primary county**.

The following are counties **not approved** for LAP - Phase I eligibility.

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible for LAP
Alaska	Aleutians East
	Aleutians West
	Anchorage
	Bristol Bay
	Haines
	Juneau
	Ketchikan-Gateway
	Lake and Peninsula
	Nome
	North Slope
	Northwest Arctic
	Prince Of Wales-Outer Ketchikan
	Sitka
	Skagway-Hoonah-Angoon
	Valdez-Cordova
	Wrangell-Petersburg
	Yakutat
	Yukon-Koyukuk

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP – Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible for LAP
California	Imperial
	Mariposa
	Nevada
	San Francisco
	San Mateo
	Santa Cruz
Colorado	Broomfield
	District of Columbia
Florida	Franklin
	Madison
	Taylor
Georgia	Camden
	Glynn
	McIntosh
Hawaii	Kalawa
Idaho	Ada
	Benewah
	Bonner
	Boundary
	Canyon
	Clearwater
	Gooding
	Idaho
	Jerome
	Kootenai
	Latah
	Lewis
	Nez Perce
	Shoshone
	Teton

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible for LAP
Illinois	Knox
	Putnam
	Tazewell
	Warren
	Woodford
Indiana	Boone
	Clinton
	Fountain
	Tippecanoe
	Warren
Iowa	Adair
	Black Hawk
	Boone
	Bremer
	Buena Vista
	Butler
	Carroll
	Cerro Gordo
	Cherokee
	Chickasaw
	Crawford
	Dallas
	Franklin
	Greene
	Hamilton
	Hancock
	Hardin
	Ida
	Jasper
	Madison
	Mahaska
	Marion
	Marshall

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible For LAP
Iowa	Mitchell
	Plymouth
	Pocahontas
	Polk
	Poweshiek
	Story
	Tama
	Warren
	Washington
	Woodbury
	Worth
	Wright
Maryland	Allegany
	Garrett
	Baltimore City
Massachusetts	Nantucket
Michigan	Crawford
Minnesota	Blue Earth
	Cook
	Cottonwood
	Fillmore
	Lincoln
	Lyon
	Martin
	Murray
	Pipestone
	Sherburne
	Steele
	Wadena
	Waseca
	Watonwan

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible For LAP
Missouri	St. Louis City
New Jersey	Hudson
	Union
New Mexico	Los Alamos
North Carolina	Beaufort
	Camden
	Carteret
	Currituck
	Dare
	New Hanover
	Onslow
	Pamlico
	Pasquotank
	Tyrrell
Oregon	Benton
	Clackamas
	Clatsop
	Columbia
	Deschutes
	Hood River
	Lincoln
	Marion
	Multnomah
	Polk
	Tillamook
	Washington
	Yamhill
Pennsylvania	Crawford
	Philadelphia

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible For LAP
South Dakota	Lincoln
	Minnehaha
	Union
Virginia	Fairfax
	Frederick
	Loudoun
	Sussex
	York
	Alexandria city
	Bristol city
	Buena Vista city
	Charlottesville city
	Clifton Forge city
	Colonial Heights city
	Covington city
	Danville city
	Emporia city
	Fairfax city
	Falls Church city
	Franklin city
	Fredericksburg city
	Galax city
	Hampton city
	Harrisonburg city
	Hopewell city
	Lexington city
	Lynchburg city
	Manassas city
	Manassas Park city
	Martinsville city
	Newport News city
	Norfolk city
	Petersburg city
	Poquoson city
	Portsmouth city

County Eligibility - Phase I (Continued)

Counties Not Approved for LAP - Phase I Eligibility	
State	Not Approved As A Primary County, Therefore Not Eligible For LAP
Virginia	Radford city
	Richmond city
	Roanoke city
	Salem city
	Staunton city
	Virginia Beach city
	Waynesboro city
	Williamsburg city
	Winchester city
Washington	San Juan
West Virginia	Randolph
	Tucker
Wisconsin	Brown
	Dodge
	Eau Claire
	Florence
	Fond du Lac
	Forest
	Green Lake
	Iowa
	Jefferson
	Lafayette
	Marquette
	Menominee
	Monroe
	Oconto
	Oneida
	Richland
	Sauk
	Vilas
	Washington
Wyoming	Teton